

Planning Committee: 22 May 2012

Item Number: 10

Application No: W 11 / 0386

Town/Parish Council: Sherbourne
Case Officer: Heidi Antrobus
01926 456541 planning_west@warwickdc.gov.uk

Registration Date: 28/03/12
Expiry Date: 23/05/12

Sherbourne Fruit Farm, Stratford Road, Warwick, CV35 8AE

Continued use of building for Use Class B2 for the purpose of repairing farm machinery in use on the Sherbourne Estate and the restoration and storage of classic cars FOR Sherbourne Park

This application is being presented to Committee due to an objection from the Joint Parish Council having been received.

SUMMARY OF REPRESENTATIONS

The Highways Agency: No objection. The applicant has provided further information as requested and has confirmed that the trip levels through the access will remain broadly as they are under the current planning consent at the site.

CPRE: Objects to the application due to its location in the Green Belt and states that B2 is wholly inappropriate.

Barford, Sherbourne & Wasperton Joint Parish Council:

The JPC objects to the use of the building for the restoration and storage of classic cars on the grounds that it is commercial activity in the Green Belt, the site is strewn with debris and car parts befitting a breaker's yard and the vehicle access onto the A46 is hazardous. Not only should permission for the change of use not be granted but also enforcement action should be taken to tidy the area. (For the avoidance of doubt, the JPC is content for the building to be used for repairing farm machinery).

Local Business and Neighbour Comments:

Five letters of support have been received and one objection letter. Four letters of support are from local farms of Hatton Bank Farm, Cantella Farm, Littleworth Farm and Sherbourne Farm and 1 letter of support from a neighbour. The letters state that end user is a valuable member of the local community. The proposal offers an invaluable service to local farmers which includes the maintenance and fabrication skills which are carried out on farm machinery and road vehicles. This is a small local business that needs supporting. One neighbourhood objection relating mechanical works undertaken in relation to vehicles involved in racing.

RELEVANT POLICIES

- RAP7 - Converting Rural Buildings (Warwick District Local Plan 1996 - 2011)
- RAP6 - Directing New Employment (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework

PLANNING HISTORY

In 2004, a retrospective application for a change of use from agricultural/retail to a coach distribution centre was refused permission.

KEY ISSUES

The Site and its Location

The site is located to the north of the A46 and Junction 15 of the M40. The site has its own direct gated access from the A46 with sufficient space for vehicles turning within the site. The gated access is made up of a tarmac/stone drive, and leads to two metal clad buildings. The building to which the planning application relates is located furthest from the main entrance and is slightly taller than the adjacent unit. The building is entranced from the side via a metal roller shutter door. The site is located in the Green Belt.

Details of the Development

This is a retrospective application for the change of use of the building to Use Class B2 for the purpose of repairing farm machinery in use on the Sherbourne Estate and the restoration and storage of classic cars. The building was previously used in connection with a pick-your-own fruit business.

The application states that the building has one part time employee and operates from Monday to Friday from 9am to 5pm. The applicants state that the building was originally used by the Sherbourne Estate in connection with their previous pick-your-own fruit business and then the current use commenced around 5 years ago. The current user moved from a former agricultural building elsewhere on the Sherbourne Estate where he had been in occupation for 10 years.

Assessment

The main issues relevant to the consideration of this application are:

- Impact on the living conditions of the neighbouring properties
- Impact on the Green Belt
- Access

- Renewable Energy

Impact on the living conditions of the neighbouring properties

The proposal is located within open countryside, and is adjacent to another unit of the same design used for repair and maintenance of farm machinery for use on the Sherbourne Estate. There are no residential properties near to the building and therefore the proposed change of use would not cause unacceptable adverse impacts and therefore meets the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

Impact on the Green Belt

The National Planning Policy Framework states that the reuse of buildings in the rural area is appropriate development within the Green Belt provided they are of permanent and substantial construction. This building is of permanent construction, and its reuse is also consistent with Local Plan policies RAP6 and RAP7 as it is small scale and of low intensity. The Joint Parish Council and CPRE have objected to the introduction of commercial activities and B2 uses in the Green Belt, however, the proposal is entirely in accordance with the Local Plan and the requirements of the NPPF. The concerns in relation to the appearance of the site will be subject to a separate enforcement investigation, and a condition is recommended to be imposed on the permission to control any external storage associated with the use.

Access

The Highways Agency initially requested that the applicant provide further information in relation to trip levels and the applicant has provided the relevant information.

Following receipt of this information from the applicant, the Highways Agency have confirmed that they have no objection to the proposal as the trip levels through the access will remain broadly the same as they are under the current lawful use of the site. Therefore the existing access to and from the building is considered acceptable, and the proposal meets the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011 and the requirements of the Highways Agency.

Renewable Energy

Due to the small scale of the proposal and type of business being carried out, a requirement for the provision of renewable energy is not considered appropriate in accordance with Policy DP13 of the Warwick District Local Plan 1996-2011 and the Sustainable Buildings SPD.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted shall be retained strictly in accordance with the details shown on the application form, site location plan and approved drawing RGA 2001, and specification contained therein, submitted on 15th July 2011 and 28th March 2012 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

- 2 No materials, plant or equipment of any description including skips or containers, shall be stacked, stored or deposited on any open area of the site. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.
